

## **EXHIBIT A**

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10 Attorneys for Defendant  
NISSAN NORTH AMERICA, INC.

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 OAKLAND DIVISION

14 CATHY BASHAW, ROBERT GARNEAU,  
15 NANCY HOUSELL, and JEFFREY  
16 OLKOWSKI on behalf of themselves and all  
others similarly situated,

17 Plaintiffs,

18 v.

19 NISSAN NORTH AMERICA, INC. and  
20 NISSAN MOTOR CO., LTD,

21 Defendants.

22 VAUGHN KERKORIAN and DAVID  
23 TURNER, individually and on behalf of all  
others similarly situated,

24 Plaintiffs,

25 v.

26 NISSAN NORTH AMERICA, INC. and  
27 NISSAN MOTOR CO., LTD,

28 Defendants.

Case No. 4:18-cv-07292-HSG  
Case No. 4:18-cv-07815-HSG

**DEFENDANT NISSAN NORTH  
AMERICA, INC.'S INITIAL  
DISCLOSURES PURSUANT TO FED.  
R. CIV. P. 26(a)(1)**

Defendant Nissan North America, Inc. (“NNA”), by and through its undersigned counsel of record, hereby submits its Initial Disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1).

**1. Scope of Disclosures**

In meeting the disclosure obligations of the Federal Rules of Civil Procedure, NNA reviewed the operative Complaints in the above-captioned actions to determine the claims alleged with particularity. The named Plaintiffs in *Bashaw* own or lease a 2017 model year Nissan Rogue, 2018 model year Nissan Rogues, and a 2018 model year Nissan Murano, and the named Plaintiffs in the *Kerkorian* case own or owned 2017 and 2018 model year Nissan Rogues and a 2017 model year Nissan Rogue Sport (“subject vehicles”).

Because NNA has not completed its investigation in this case, and discovery has just commenced, it is probable that further discovery, independent investigation, and case analysis will supply additional facts, add new meaning to the known facts, or establish entirely new factual conclusions, all of which may make necessary additions to, changes in, and variations from the information contained within this disclosure. As necessary, NNA will supplement the disclosure in compliance with the Federal Rules of Civil Procedure.

**2. Persons with Discoverable Information to Support Claims or Defenses**

Depending on the ultimate issues deemed relevant to this case, there could be many NNA employees with discoverable information that NNA may use to support its claims or defenses. At this time, NNA identifies:

- a. Martin Lambrecht  
Manager, Field Quality Investigations  
Nissan North America, Inc.  
610 Enon Springs Rd. East  
Smyrna, TN 37167

Mr. Lambrecht is a Manager, Field Quality Investigations. He has knowledge of NNA’s investigation and projects related to automatic emergency braking systems in the subject vehicles.

- b. Selim Hammoud  
Director, Product Safety & Environmental  
Nissan North America, Inc.

One Nissan Way  
Franklin, TN 37067

Mr. Hammoud is the Director, Product Safety & Environmental, Total Customer Satisfaction. He is responsible for Field Quality Assurance, Technical Compliance and Products Safety. His team manages field issues including campaigns, regulatory reporting for compliance to Safety Act and emissions as well advising Research and Development on vehicle safety trends and safety problems. Mr. Hammoud has knowledge of NNA's investigation into automatic emergency braking systems in the subject vehicles.

c. Tom Cole  
Senior Manager, Field Quality Investigations  
Nissan North America, Inc.  
610 Enon Springs Rd. East  
Smyrna, TN 37167

Mr. Cole has worked with Nissan's Field Quality Investigations group. He has knowledge of NNA's investigation and projects related to automatic emergency braking systems in the subject vehicles.

Other individuals may be identified after investigation and discovery have progressed, and NNA will supplement this response in accordance with the requirements set forth in the Local Rules and the Federal Rules of Civil Procedure.

Based on information learned to date, NNA also identifies Plaintiffs Cathy Bashaw, Robert Garneau, Nancy Housell, Jeffrey Olkowski, Vaughn Kerkorian, and David Turner as persons who may have discoverable information used to support its claims and defenses. Plaintiffs' specific knowledge is unknown to NNA at this time.

**3. Damages**

NNA is not claiming damages at this time.

**4. Insurance Agreements**

No known applicable policies.

**5. Documents**

NNA identifies the following categories of documents, data compilations and tangible things that may be used to respond to Plaintiffs' claims or support NNA's defenses:

- 1 (a) Owner's Manuals for 2017-2018 model year Nissan Rogue and Rogue Sport  
2 vehicles and for 2018 model year Nissan Murano vehicles sold in the United  
3 States;
- 4 (b) Product brochures for 2017-2018 model year Nissan Rogue and Rogue Sport  
5 vehicles and for 2018 model year Nissan Murano vehicles sold in the United  
6 States;
- 7 (c) Warranty booklets for 2017-2018 model year Nissan Rogue and Rogue Sport  
8 vehicles and for 2018 model year Nissan Murano vehicles sold in the United  
9 States;
- 10 (d) Sales and service history records, to the extent any exists, for Plaintiffs' subject  
11 vehicles;
- 12 (e) Excerpts of service manuals that pertain to forward emergency braking or  
13 automatic emergency braking in 2017-2019 model year Nissan Rogue and Rogue  
14 Sport vehicles and in 2015-2019 model year Nissan Murano vehicles  
15 manufactured and distributed in the United States by NNA;
- 16 (f) Warranty and consumer affairs data, to the extent any exists, for Plaintiffs' subject  
17 vehicles;
- 18 (g) Technical Service Bulletins related to forward emergency braking or automatic  
19 emergency braking in 2017-2018 model year Nissan Rogue and Rogue Sport  
20 vehicles and in 2015-2018 model year Nissan Murano vehicles; and
- 21 (h) Project Files and related field investigation reports related to forward emergency  
22 braking or automatic emergency braking in 2017-2018 model year Nissan Rogue  
23 and Rogue Sport vehicles and in 2015-2018 model year Nissan Murano vehicles.

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1 Dated: March 12, 2019

DRINKER BIDDLE & REATH LLP

2  
3 By: Paul J. Riehle  
4 Paul J. Riehle  
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1 **PROOF OF SERVICE**

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3 I am a citizen of the United States and employed in the County of San Francisco, State  
4 of California. I am over the age of 18 and not a party to the within action. My business  
5 address is Drinker Biddle & Reath LLP, Four Embarcadero Center, 27th Floor, San Francisco,  
6 California 94111.

7 On March 12, 2019, I served the foregoing document described as: **DEFENDANT**  
8 **NISSAN NORTH AMERICA, INC.'S INITIAL DISCLOSURES PURSUANT TO FED.**  
9 **R. CIV. P. 26(a)(1)** on the interested parties in this action as follows:

10 **SEE SERVICE LIST**

11 X **By electronic service:** by transmitting via e-mail or electronic transmission the  
12 document(s) listed above to the person(s) at the e-mail address(es) set forth below.

13 X (Federal) I declare that I am employed by a member of the bar of this court under whose  
14 direction these documents were served.

15 I declare under penalty of perjury under the law of the United States of America that the  
16 foregoing is true and correct.

17 Executed on March 12, 2019, at San Francisco, California.

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Sylvia Lee

**SERVICE LIST**

Case No. 4:18-cv-07292-HSG

Case No. 4:18-cv-07815-HSG

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